

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 5, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: DIR-35337 - DIRECTOR'S BUSINESS

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

**** STAFF REPORT ****

APPLICATION REQUEST

This request is for an appeal of the Director's decision, per Title 19.18.050(J) and 19.18.060.P(1)(a) to reject a late application for Extensions of Time.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/05/00	The City Council adopted by Ordinance #5238 the Downtown Centennial Plan.
01/03/07	The City Council adopted by Ordinance #5874 the amended Downtown Centennial Plan.
06/20/07	The City Council approved requests for a General Plan Amendment (GPA-20227) to amend a portion of the Southeast Sector Plan from C (Commercial) and LI/R (Light Industrial/Research) to MXU (Mixed Use); a Rezoning (ZON-21165) from C-M (Commercial/Industrial), M (Industrial) and C-2 (General Commercial) to C-2 (General Commercial); a Rezoning (ZON-21166) to expand the gaming enterprise district; a Special Use Permit (SUP-21168) for a proposed private sports arena; a Special Use Permit (SUP-21169) for a proposed mixed-use development; a Special Use Permit (SUP-21171) for a proposed high rise mixed-use development in the Airport Overlay District; a Special Use Permit (SUP-21172) for a proposed gaming establishment, non-restricted; a Vacation (VAC-21173) and a Site Development Plan Review (SDR-21175) for a multi-phase mixed-use development including a 3,000 condominium units, 6,000 hotel rooms, a private sports arena, street level retail, office and exhibition space, and a casino at the southwest corner of Charleston Boulevard and Main Street. The Planning Commission recommended approval on 05/24/07.
08/01/07	The City Council approved a request for a Review of Condition (ROC-23231) to modify condition number 1 of an approved Vacation (VAC-21173).

DETAILS OF APPLICATION REQUEST

The applicant contends that they met the requirements of Title 19 by filing a complete application "prior to the expiration of the two-year period" as required by code and condition.

ANALYSIS & FINDINGS

Action to approve GPA-20227, ZON-21165, SUP-21168, SUP-21169, SUP-21171, SUP-21172, VAC-21173 and SDR-21175 was taken by the City Council on June 20, 2007. Conditions of approval were included as follows:

ZON-21165 - Condition #2 – A Resolution of Intent with a two year time limit is hereby granted.

SUP-21168 – Condition #2 – This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

SUP-21169 – Condition #3 - This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

SUP-21171 – Condition #3 - This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

SUP-21172 – Condition #4 - This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAC-21173 - Condition #10 - If the Order of Vacation is not recorded within two (2) years after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

SDR-21175 – Condition #2 - This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

Pursuant to the timeline, the applicant submitted materials on June 22, 2009, the Monday following the expiration date of June 20, 2009. Staff accepted the applications for review as it was a timely submittal. As of June 30, 2009 and as late as July 7, and 13, 2009 the applicant continued to submit materials.

As of July 16, 2009, the application was deemed incomplete by the Department of Planning and Development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS N/A

PROTESTS N/A